

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

HILDA OCHOA,

Plaintiff,

VS.

**JAMA Y. ALI and
FAF INC.,**

Defendants.

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CIVIL ACTION NO. 4:18-cv-136

JURY TRIAL REQUESTED

**NOTICE OF REMOVAL BY DEFENDANTS
JAMA Y. ALI AND FAF, INC.**

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Defendants, JAMA Y. ALI and FAF, INC. file this Notice of Removal pursuant to 28 U.S.C. §§1441 and 1446, showing the following basis for removal.

INTRODUCTION

1. Plaintiff, Hilda Ochoa, filed Plaintiff's Original Petition, Jury Demand and Request for Disclosure against Defendants on December 14, 2017, under Cause No. 236-296891-17, pending in the 236th Judicial District Court, Tarrant County, Texas. Citation upon Defendants was issued on January 5, 2018.

2. Defendant, Jama Y. Ali, was served with Citation on January 15, 2018.

3. Defendant, FAF, Inc., has not been served at this time.¹

¹ Plaintiff served an entity named FAF in Ohio which is not the correct party in this case. FAF, Inc. is a Tennessee Corporation and has not been served. Undersigned counsel has accepted service as of February 15, 2018.

4. This original Notice of Removal is filed within thirty days of service upon Defendant FAF, INC. since, the statutory period for removal as required under 28 U.S.C. §1446(b).

JURISDICTION

5. This court has removal jurisdiction over this lawsuit pursuant to 28 U.S.C. §§1441 and 1446, and based upon diversity of citizenship under 28 U.S.C. §1332. Plaintiff, Hilda Ochoa, is domiciled in Texas and a citizen of that state. Defendant Jama Y. Ali, is domiciled in California and a citizen of that state. FAF, Inc. is a Tennessee Corporation whose principal place of business is Greenville, Tennessee. Thus, there is diversity of citizenship between Plaintiff and Defendants Jama Y. Ali and FAF, Inc.

DAMAGES AND JURISDICTIONAL MINIMUM

6. According to Plaintiff's Petition, the amount in controversy exceeds \$1,000,000.00 excluding interest and costs consistent with 28 U.S.C. §§1332(a). Plaintiff Hilda Ochoa alleges the following elements of damages: past and future medical expenses; past and future pain and suffering; past and future mental anguish; property damages; physical impairment; lost income; lost earning capacity; all other economic damages allowed by law; punitive damages; pre-judgment and post-judgment interest at the maximum rate allowable by law; and costs of court. Plaintiff alleges unspecified damages in her petition and seeks damages in excess of this court's jurisdictional threshold of \$75,000.00, excluding interest and costs. *Gebbia v Wal-Mart Stores, Inc.*, 233 F.3d 880, 883 (5th Cir. 2000).

7. All pleadings, process, orders, and other filings in the state court action in the possession of Defendants are attached to this notice as required by 28 U.S.C. §1446(a).

8. Venue is proper in this district under 28 U.S.C. 1391(b)(2) because the sole basis for Plaintiff's suit and claim for damages arose from a motor vehicle accident which happened in Tarrant County, Texas

9. Defendants will promptly file a copy of this Notice of Removal with the clerk of the state court where the action has been pending.

JURY DEMAND

10. Defendants JAMA Y. ALI and FAF, INC. hereby make a demand for a jury trial.

CONCLUSION

For these reasons, Defendants, JAMA Y. ALI and FAF, INC., therefore give notice of its removal of this lawsuit to this Court, and an automatic stay of further proceedings in state district court.

Respectfully submitted,

RAMEY, CHANDLER, QUINN & ZITO, P.C.

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ATTORNEY FOR DEFENDANT,
JAMA Y. ALI AND FAF, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent to all opposing counsel via e-service on the 16th day of February, 2018.

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/s/ Robert L. Ramey
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